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EXAMINER

CHOI, MICHAEL P

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2621

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/618,201	Applicant(s) WOLFF ET AL.	
	Examiner Michael Choi	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15,35-40,55 and 56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15,35-40,55 and 56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/4/09 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 4, 8, 9-13, 15, 35, 36 and 55 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsumagari et al. (US 6,360,057 B1).

Regarding Claim 1, Tsumagari et al. teaches a method for providing access to an information stream comprising:

- receiving information representative of a plurality of event markers (Figs. 23, 24, 25, 27 – entry points), each event marker associated with one or more time indices that are points in time in the information stream (in at least Figs. 14, 25, 27);

- for the event markers, producing representations of segments of the information stream associated with respective time indices of the event markers (in at least Figs. 35, 39 - having title and thumbnail reproduced), wherein when a first event marker is associated with a first time index and a second time index, then a representation of a first segment of the information stream that includes the first time index is produced and a representation of a second segment of the information stream that includes the second time index is produced (in at least Figs. 35-37, 39 – production of selection; Col. 31, lines 41-59),
- forming one or more groups of segments, each group comprising those segments of the information stream whose one or more time indices are associated with the same event marker (in at least Figs. 35-37, 39 – segments according to entry points); and
- for each event marker, presenting a representation of said each event marker and the representations of the segments of the information stream comprising its associated group of segments, wherein the representations are arranged according to an arrangement format, wherein a representation of the first event marker is presented along with a representation of the first segment of the information stream and a second representation of the of the second segment of the information stream, whereby multiple occurrences of an event in the information stream indicated by an event marker can be accessed (in at least Figs. 35, 39 - having title and thumbnail reproduced).

Regarding Claim 2, Tsumagari et al. teaches the method of claim 1 wherein the arrangement format is determined automatically, absent user-provided arrangement information (Fig. 32, entry point by recorder; Col. 28, line 53 - Col. 29, line 34).

Regarding Claim 4, Tsumagari et al. teaches the method of claim 1 wherein each event marker is information produced by a user action (Fig. 32 – entry point by user; Col. 28, line 53 - Col. 29, line 34) and each associated time index is the time of occurrence of the user action (Figs. 14-16, 23 – time of entries; Fig. 27 – entry points per recorded time in various programs).

Regarding Claim 8, Tsumagari et al. teaches the method of claim 1 wherein each event marker is further associated with a recording device (in at least Figs. 26, 29 – wherein all entry points are associated with device), wherein the method is applied only to those event markers that are associated with the same recording device (in at least Figs. 26, 29 – wherein all entry points are associated with device).

Regarding Claim 9, Tsumagari et al. teaches the method of claim 1 wherein a segment of the information stream spans a period of time relative to its time index (Figs. 14-16, 23 – period of time of entries).

Regarding Claim 10, Tsumagari et al. teaches the method of claim 1 further comprising recording the information stream (in at least Col. 1, lines 16-26), wherein the event markers and the time indices are recorded at the time of recording of the information stream (Figs. 14, 23-25, 27 – entry points within recorded time as listed and indexed).

Regarding Claim 11, Tsumagari et al. teaches the method of claim 1 wherein the information stream is a previous recording, the method further comprising recording the timestamps during playback of the information stream (Figs. 36, 37, 46, and 47).

Regarding Claim 12, Tsumagari et al. teaches the method of claim 1 wherein the information stream comprises one of continuous information and discrete information (in at least Figs. 2, 3 – wherein VOB, cells, VOBUs, etc have finite playback time).

Regarding Claim 13, Tsumagari et al. teaches the method of claim 1 wherein the step of presenting includes producing images on a display device (Fig. 35).

Regarding Claim 15, Tsumagari et al. teaches a method for providing access to an information stream comprising:

- receiving information representative of a plurality of event markers (Figs. 23, 24, 25, 27 – entry points), each event marker associated with one or more time indices that are points in time in the information stream (in at least Figs. 14, 25, 27);
- producing representations of segments of the information stream associated with respective time indices of the event markers (in at least Figs. 35, 39 - having title and thumbnail reproduced),
- forming one or more groups of segments (in at least Figs. 35-37, 39 – segments according to entry points), each group comprising those segments of the information stream associated with the same event marker (Figs. 23, 27 - entry point for programming movie with multiple key frames in packet thereby multiple time stamps within entry point; Col. 10, lines 15-22);

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- receiving a source image comprising an image and annotative information for each event marker (in at least Figs. 35, 39 - having title and thumbnail reproduced); and
- wherein when a first event marker is associated with a first time index and a second time index, then a representation of the first event marker is presented along with a representation of a first segment of the information stream that includes the first time index and a representation of a second segment of the information stream that includes the second time index, whereby the multiple occurrences of an event in the information stream indicated by the first event marker can be accessed (in at least Figs. 35, 39 - having title and thumbnail reproduced).

Regarding Claim 35, Tsumagari et al. teaches a processor for providing access to an information stream comprising a data processing component operable to perform the method steps of:

- receiving at least a first information stream (Figs. 1-3 – video stream of disc);
- receiving a plurality of event markers (Figs. 23, 24, 25, 27 – entry points), the first event markers having timing information associated therewith (in at least Figs. 14, 25, 27);
- associating the first information stream with the event markers, including identifying one or more points in time in the first information stream based on the timing information ((Figs. 23, 24, 25, 27) associated with the event markers and associating the one or more points in time in the first information stream with the first event markers (Figs. 23, 27 - entry point for programming movie with multiple

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- key frames in packet thereby multiple time stamps within entry point; Col. 10, lines 15-22);
- for each event marker, grouping together one or more points in time in the first information stream that are associated with said each event marker to produce one or more groups of media segments (in at least Figs. 35-37, 39 – segments according to entry points); and
 - presenting the event marker and respective associated groups of media segments (Fig. 38 – playback according to selection), including for each marker:
 - presenting a representation of said each event marker (in at least Figs. 35, 39 - having title and thumbnail reproduced); and
 - for each point in time in the group of media segments associated with said each event marker, presenting a representation of a portion of the first information stream associated with said each point in time (in at least Figs. 35, 39 - having title and thumbnail reproduced),
 - wherein when a first event marker is associated with a first point in time and a second point in time, then a representation of the first event marker is presented along with a first representation of a portion of the information stream associated with the first point in time and a second representation of a portion of the information stream associated with the second point in time, whereby the multiple occurrences of an event in the information stream indicated by the first event marker can be accessed (in at least Figs. 35, 39 - having title and thumbnail reproduced).

Regarding Claim 36, Tsumagari et al. teaches the processor of claim 35 wherein the first event markers further have device information associated therewith

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(Fig. 27 – creation of various playlists with entry points), the device information being indicative of the device which produced the first information stream (in at least Figs. 26, 29 – wherein all entry points are associated with device), wherein the step of grouping is performed on those the first event markers that are associated with the same device information (in at least Figs. 26, 29 – wherein all entry points are associated with device).

Regarding Claim 55, Tsumagari et al. teaches the method of claim 15 wherein the presenting includes forming a display on a display device (Fig. 35).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5-7 and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsumagari et al. (US 6,360,057 B1) in view of Stonedahl (US 2002/0199198 A1).

Regarding Claim 5, Tsumagari et al. teaches the method of claim 4 but fails to explicitly teach wherein the user action is scanning of a barcode, wherein the marker is representative of the barcode that is scanned, wherein scanning the barcode more than once produces one or more time indices associated with the barcode. Stonedahl

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teaches wherein the user action is scanning of a barcode, wherein the marker is representative of the barcode that is scanned, wherein scanning the barcode more than once produces one or more time indices associated with the barcode (Paragraphs [0038,0040] – selection based on barcode scanning by a number of selections based on time).

A person of ordinary skill in the art would have had good reason to pursue the known options of giving the user control over selecting through usage of a scanning a barcode. It would require no more than "ordinary skill and common sense," to give the user control over digitally and physically pointing and selecting to preferred portions of events to designate as desired portions.

Regarding Claim 6, Tsumagari et al. teaches the method of claim 4 but fails to explicitly teach wherein the user action is speaking a phrase, wherein the event marker is representative of a digital representation of the phrase, wherein speaking the phrase more than once produces one or more time indices associated with the digital representation of the phrase. Stonedahl teaches wherein the user action is speaking a phrase, wherein the event marker is representative of a digital representation of the phrase, wherein speaking the phrase more than once produces one or more time indices associated with the digital representation of the phrase (Paragraphs [0038,0040] – selection based by sounds of participant by a number of selections based on time).

A person of ordinary skill in the art would have had good reason to pursue the known options of giving the user control over selecting through speaking. It would require no more than "ordinary skill and common sense," to give the user control over digitally and physically (by nature of tonal) pointing and selecting to preferred portions of events to designate as desired portions.

Regarding Claim 7, Tsumagari et al. teaches the method of claim 4 but fails to explicitly teach wherein the user action is a selecting a visual element with an input device, wherein the event marker is representative of the visual element, wherein selecting the visual element more than once produces one or more time indices associated with the visual element. Stonedahl teaches wherein the user action is a selecting a visual element with an input device, wherein the event marker is representative of the visual element, wherein selecting the visual element more than once produces one or more time indices associated with the visual element (Paragraphs [0038,0040,0043] – selection based on barcode scanning by a number of selections based on time).

A person of ordinary skill in the art would have had good reason to pursue the known options of giving the user control over selecting through usage of a scanning a barcode. It would require no more than "ordinary skill and common sense," to give the user control over digitally and physically (by means of visual cues) pointing and selecting to preferred portions of events to designate as desired portions.

Regarding Claim 38, Tsumagari et al. teaches the processor of claim 35 but fails to explicitly teach wherein the event markers are representative of scanned barcodes. Stonedahl teaches wherein the event markers are representative of scanned barcodes (Paragraphs [0038,0040,0043] – selection based on barcode scanning by a number of selections based on time).

A person of ordinary skill in the art would have had good reason to pursue the known options of giving the user control over selecting through usage of a scanning a barcode. It would require no more than "ordinary skill and common sense," to give the

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user control over digitally and physically pointing and selecting to preferred portions of events to designate as desired portions.

Regarding Claim 39, Tsumagari et al. teaches the processor of claim 35 but fails to explicitly teach wherein the event markers are representative of selected graphics. Stonedahl teaches wherein the event markers are representative of selected graphics (Paragraphs [0038,0040,0043] – selection visually based by graphic barcode scanning by a number of selections based on time).

A person of ordinary skill in the art would have had good reason to pursue the known options of giving the user control over selecting through usage of a scanning a barcode. It would require no more than "ordinary skill and common sense," to give the user control over digitally and physically (by means of visual cues) pointing and selecting to preferred portions of events to designate as desired portions.

Regarding Claim 40, Tsumagari et al. teaches the processor of claim 35 but fails to explicitly teach wherein the event markers are representative of spoken phrases. Stonedahl teaches wherein the event markers are representative of spoken phrases (Paragraphs [0038,0040] – selection based by sounds of participant by a number of selections based on time).

A person of ordinary skill in the art would have had good reason to pursue the known options of giving the user control over selecting through speaking. It would require no more than "ordinary skill and common sense," to give the user control over digitally and physically (by nature of tonal) pointing and selecting to preferred portions of events to designate as desired portions.

6. Claims 3, 14, 37 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsumagari et al. (US 6,360,057 B1) in view of Koyama et al. (US 6,424,385 B1).

Regarding Claim 3, Tsumagari et al. teaches the method of claim 1 but fails to explicitly teach wherein each of the event markers is uniquely represented on a sheet, wherein the arrangement format is determined according to an arrangement of the event markers on the sheet. Koyama teaches wherein each of the event markers is uniquely represented on a sheet, wherein the arrangement format is determined according to an arrangement of the event markers on the sheet (Col. 7, lines 42-28 – printer printing image per one image on paper wherein only one time stamp applies).

A person of ordinary skill in the art would have had good reason to pursue the known options of allowing a physical copy of an image representative of an event to be printed onto a physical medium such as paper. It would require no more than "ordinary skill and common sense," to have selected portions of events distributed as images and printed onto a sheet.

Regarding Claim 14, Tsumagari et al. teaches the method of claim 1 but fails to explicitly teach wherein the step of presenting includes producing images on a printable medium. Koyama teaches wherein the step of presenting includes producing images on a printable medium (Col. 7, lines 42-28 – printer printing image per one image on paper).

A person of ordinary skill in the art would have had good reason to pursue the known options of allowing a physical copy of an image representative of an event to be printed onto a physical medium such as paper. It would require no more than "ordinary skill and common sense," to have selected portions of events distributed as images and printed onto a sheet.

Regarding Claim 37, Tsumagari et al. teaches the processor of claim 35 but fails to explicitly teach wherein presenting the groups of media segments comprises, for each group of media segments, producing an image representative of each media segment and forming the image on a printable medium. Koyama teaches wherein presenting the groups of media segments comprises, for each group of media segments, producing an image representative of each media segment and forming the image on a printable medium (Col. 7, lines 42-28 – printer printing image per one image on paper wherein only one time stamp applies).

A person of ordinary skill in the art would have had good reason to pursue the known options of allowing a physical copy of an image representative of an event to be printed onto a physical medium such as paper. It would require no more than "ordinary skill and common sense," to have selected portions of events distributed as images and printed onto a sheet.

Regarding Claim 56, Tsumagari et al. teaches the method of claim 15 but fails to explicitly teach wherein the presenting includes forming images on a printable medium. Koyama teaches wherein the step of presenting includes producing images on a printable medium (Col. 7, lines 42-28 – printer printing image per one image on paper).

A person of ordinary skill in the art would have had good reason to pursue the known options of allowing a physical copy of an image representative of an event to be printed onto a physical medium such as paper. It would require no more than "ordinary skill and common sense," to have selected portions of events distributed as images and printed onto a sheet.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Choi whose telephone number is (571) 272-9594. The examiner can normally be reached on Monday - Friday 9:00AM - 5:30PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Marsha D. Banks-Harold/

Supervisory Patent Examiner, Art Unit 2621

/Michael Choi/

Examiner, Art Unit 2621